

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

FILED
07/26/2023
Clerk, U.S. District Court
Western District of Texas

By: FM
Deputy

USA
vs.
(1) OSMER MEJIAS-RUIZ

§
§ CRIMINAL COMPLAINT
§ CASE NUMBER: EP:23-M -02244(1) - MAT
§
§

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **July 24, 2023** in **El Paso** County, in the **WESTERN DISTRICT OF TEXAS** DEFENDANT did, being an alien to the United States, knowingly enter and attempt to enter the United States at a time and place other than as designated by immigration officers.

in violation of Title **8** United States Code, Section(s) **1325(a)(1)**.

I further state that I am a(n) and that this complaint is based on the following facts: "On July 24, 2023, the DEFENDANT, MEJIAS-Ruiz, Osmer, an alien to the United States and a citizen of Venezuela, illegally entered the United States from the Republic of Mexico by crossing the Rio Grande River approximately 3.2 miles east of the Ysleta Port of Entry in El Paso, Texas, in the Western District of Texas. The place where the DEFENDANT entered is not designated as a port of entry by immigration officers."

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

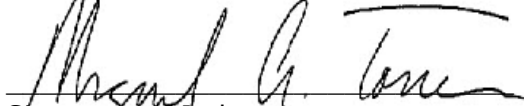
Sworn to before me,

/s/ BENITEZ-MEDINA, JOSE
Signature of Agent
Border Patrol Agent

July 26, 2023
Date

at EL PASO, Texas
City and State

MIGUEL A. TORRES
UNITED STATES MAGISTRATE JUDGE


Signature of Judge
OATH TELEPHONICALLY SWORN
AT 02:00 P.M.
FED.R.CRIM.P. 4.1(b)(2)(A)

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

(1) OSMER MEJIAS-RUIZ

FACTS (CONTINUED)

On JuLY 24, 2023, the DEFENDANT, MEJIAS-Ruiz, Osmer, an alien to the United States and a citizen of Venezuela, illegally entered the United States from the Republic of Mexico by crossing the Rio Grande River approximately 3.2 miles east of the Ysleta Port of Entry in El Paso, Texas, in the Western District of Texas. The place where the DEFENDANT entered is not designated as a port of entry by immigration officers.

Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

NONE

CRIMINAL HISTORY:

NONE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

USA

vs.

(1) OSMER MEJIAS-RUIZ
Defendant

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§

Case Number: EP:23-M -02244(1) MAT
8 USC 1325(a)(1)

INITIAL APPEARANCE

On **July 26, 2023**, the defendant appeared in Open Court before **U.S. Magistrate Judge MIGUEL A. TORRES**. The defendant affirmed being the person named in the charging document.

The defendant was advised as follows:

- 1) The nature of the charge against him/her;
- 2) The right to retain counsel or to request the assignment of counsel if he/she is unable to obtain counsel;
- 3) That he/she is not required to make any statement and that any statement he/she makes may be used against him/her;
- 4) The right to a preliminary examination if not indicted;
- 5) The right to consideration of bail;
- 6) The right to have the government or a federal law enforcement official notify a consular officer from his/her home country of nationality of the arrest.

Attorney

(X) Counsel Appointed / Retained: **CJA Martin, Pedro J.**

Next Hearing Date/Time: Before U.S. Magistrate Miguel A. Torres

(X) **STATUS CONFERENCE / DETENTION HEARING August 15, 2023 at 10:00 AM**
525 Magoffin Avenue, El Paso, TX 79901 Magistrate Courtroom, Room 712

Bond

(X) No Bond Set. Temporary Detention Ordered. Detained on Court's Motion.

Interpreter Needed: Interpreter:Spanish **Record FTR Gold**

Time: 02:40 p.m. - 02:58 p.m. = 00 Minutes **Arrest Date:** _____
El Paso County

Arresting Agency: El Paso Sector Border Patrol - BENITEZ-MEDINA, JOSE
Courtroom Deputy: Fidel Morales - (915) 834-0504
Interpreter: L. Quevedo

United States District Court
Western District of Texas
El Paso Division

UNITED STATES OF AMERICA

vs.

(1) OSMER MEJIAS-RUIZ

Defendant

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No: EP:23-M -02244(1)

ORDER APPOINTING COUNSEL

The above Defendant has testified under oath, or has otherwise satisfied this Court that he or she is financially unable to employ counsel, and does not wish to waive counsel.

Therefore, in the interests of justice, Pedro J. Martin, is hereby appointed, pursuant to the provisions of the Criminal Justice Act, to represent said Defendant in this case.

This appointment shall remain in effect until further order of the Court.

It is, accordingly, so **ORDERED** this the 26th day of July, 2023.



MIGUEL A. TORRES
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

USA

vs.

(1) OSMER MEJIAS-RUIZ

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Case Number: EP:23-M -02244(1)

ORDER SETTING STATUS CONFERENCE / DETENTION HEARING

IT IS HEREBY ORDERED that the above entitled and numbered case is set before the **HONORABLE U.S. MAGISTRATE MIGUEL A. TORRES** for **STATUS CONFERENCE / DETENTION HEARING, August 15, 2023 at 10:00 AM** in **Magistrate Courtroom, Room 712** on the 7th Floor of the United States Courthouse, 525 Magoffin Avenue, El Paso, TX.

In accordance with Federal Rule of Criminal Procedure 5(f), as amended by the Due Process Protections Act, Pub. L.No. 116-182, 134 Stat. 894 (Oct. 21, 2020), the Government is hereby notified of and ordered to comply with (1) the prosecutor's disclosure obligations under Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, and (2) the possible consequences of violating the Order, which may include sanctions such as delay of trial or other proceedings, the exclusions of evidence, the giving of adverse jury instructions, the grant of new trial, the dismissal of an action, or finding in contempt.

IT IS FURTHER ORDERED that the Clerk of Court shall send a copy of this order to the defendant, counsel for defendant, the United States Attorney, U.S. Pretrial Services, United States Probation Office, and any surety or custodian, if applicable. Further, counsel for the defendant shall notify the defendant of this setting. If the defendant is on bond, he/she shall be present.

IT IS SO ORDERED this **07/26/2023**.



**MIGUEL A. TORRES
UNITED STATES MAGISTRATE JUDGE**